

REMARKS

In the above-mentioned, final Office Action, all the pending claims, claims 1-3, and 6-10, were rejected under Section 103(a) over the combination of *Treyz*, *Maruyama*, and *Rautila*.

Treyz was cited for showing a local data provision system having a plurality of transmitters and a personal information unit. The Examiner acknowledged that *Treyz* fails to disclose on-demand reception of transmitted data and the signal carrying data indicating the presence of a respective entity including data indicating the type of entity or a personal information unit that includes a memory capable of storing a plurality of entity types. *Maruyama* was cited for showing a wireless information guiding system that provides the user the ability to control when data is received and in how much detail. And *Rautila* was cited for showing a method for transferring digital data in a system having different wireless systems whereby a user can connect to an electronic shop web page and find various hotspots for data downloading. *Rautila* was further cited for showing a mobile device having a CPU, memory, and transceivers.

Objection also was made to claim 9 for being dependent upon previously-canceled claim 4 and to the format of the specification for not including lettered items identifying the sections set forth in Rule 1.77(b). And, the Examiner objected to the inventor's declaration for the identification of the Inventor as 'T.V.L.N. Sivakumar' and not by his full name.

Amendments proposed herein are believed to overcome the Examiner's objections to claim 9 and to the specification. Namely, claim 9 has been amended to place the claim in proper dependent form upon claim 1. And, the specification has been amended to identify sections set forth in Rule 77(b).

With respect to the identification of the inventor, T.V.L.N. Sivakumar, the Inventor advises that his full name is Tatikonda Venkata Lakshmi Narasinh Sivakumar. An application data sheet is enclosed herewith that identifies the inventor's full name. A

An application data sheet is enclosed herewith that identifies the inventor's full name. A substitute declaration shall be submitted by separate letter.

With respect to the reliance upon *Rautila* in the rejection of the claims under Section 103(a), the Applicant believes *Rautila* (U.S. Pat. No. 6,714,797) not to be a valid reference in light of 35 U.S.C. 103(c). *Rautila* has a filing date of 17 May 2000, and the claimed invention has a priority date of 30 June 2000. *Rautila* and the claimed invention are owned by the same person, or subject to an obligation of assignment to the same person, at the time the claimed invention was made. That is to say, the *Rautila* patent and the claimed invention are both owned by Nokia Corporation, or subject to an obligation of assignment to Nokia Corporation, a Finnish corporation having a place of business at Keilalahdentie 4, FIN-02150 Espoo, Finland, at the time the claimed invention was made.

Irrespective of whether *Rautila* is a proper reference, the rejection of the claims under Section 103(a) over the combination is respectfully traversed.

The primary reference of *Treyz* appears to relate to a system for providing a user with shopping assistance such as directory information for a shopping mall (see Abstract). And, product information can be displayed to a user (column 2, lines 46-56), and proximity of messages and offers can be alerted to a user by means of a handheld computing device (column 3, lines 1-9).

Rautila appears to relate to a system for enabling digital products to be efficiently downloaded to a mobile device. The reference does not relate to the facilitation of shopping in a conventional retail establishment, and is therefore in a different technical field from the primary reference of *Treyz*. Additionally, *Rautila* does not make any suggestion of the more general concept of receiving data at a user device from a nearby entity. A skilled person would therefore not look to *Rautila* if the skilled person were looking to improve the device disclosed in the primary reference of *Treyz*.

Furthermore, even if the skilled person were to combine *Rautila* with *Treyz*, there is no disclosure in *Rautila* of the feature of present claim 1 of alerting a user if a

particular type of entity is present. Instead, *Rautila* discloses a concept of providing a user with a list of local hotspot network locations once a user has decided to use a hotspot network for downloading a digital product (column 6, lines 25-34). There is no suggestion in *Rautila* of making a distinction between different types of entities and alerting a user only to a type of entity that is stored in a memory of a personal information unit. The only type of entity that is notified to a user is a hotspot location.

While the Examiner asserts that a mobile device that only responds to the type of signals for which it has a receiver reads onto the claim limitation that a personal information unit signals a user only if received data indicates one of a plurality of types of entity that is stored in memory of the personal information unit. The Applicant does not agree that the presence or absence of a suitable receiver for a particular type of signal can be considered to be the same as a determination of whether an indicated entity type is one of a plurality of stored types. There is no mention in *Rautila* of the concept of storing a plurality of entity types and distinguishing between types that are stored and types that are not stored. Thus, no combination of these references can be made to lead a skilled person to the present invention as defined in the claims.

Maruyama was cited merely for showing a wireless information guiding system that provides a user the ability to control when the user receives data and in how much detail the data is to be received. *Maruyama* also fails to disclose the feature of alerting a user if a particular type of entity is present or of making a distinction between different types of entities and alerting a user only to a type of entity that is stored in a memory of a personal information unit.

Accordingly, no reference of *Treyz*, *Rautila*, and *Maruyama* can be formed that would lead a skilled person to the present invention as defined by the claims.

Accordingly, in light of the foregoing, the claims, as presented, are believed to be patentably distinguishable over the cited combination of references. Accordingly, re-examination and reconsideration for allowance is respectfully requested. In the alternative, entry of the proposed amendment to claim 9 is respectfully requested to place

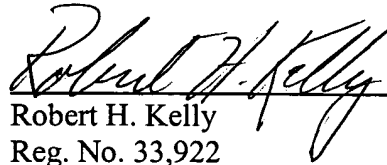
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the application in better form for consideration on appeal. Such early action is earnestly solicited.

Respectfully submitted,

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